



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning & Development
D. M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 2408900
Applicant Name: Curtis Kitchen
Site Address: 1515 23rd Avenue South

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one development site consisting of three tax parcels into nine unit lots. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots. The construction of townhouses and single family residences has been approved under Project #2304127.

The following Master Use Permit component is required:

Short Subdivision - To create nine unit lots.
(Seattle Municipal Code Chapter 23.24)

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction

BACKGROUND INFORMATION

Site Description

The subject site is approximately 17,073 sq. ft. and is currently being developed with five single family residences and two, two unit townhouse structures. It is located in a Multifamily Residential Lowrise Duplex Triplex (LDT) zone, on the west side of 23rd Ave. S.; but separated by a narrow strip of

Washington State Department of Transportation (WSDOT) owned land, between the I-90 lid and South Massachusetts St. 23rd Ave. S. is a four-lane paved arterial street with curbs, gutters, and sidewalks. Parking is not permitted on either side of 23rd Ave. S. An unimproved alley is located to the west. The site slopes from the northeast corner to the southwest corner approximately 22' in a distance of approximately 150'0" (16% slope). There is no mapped or observed City of Seattle Environmentally Critical Areas (ECA's) on the site.

Development and Zoning in the Vicinity

Properties surrounding the subject site and across 23rd Ave. S. are also zoned LDT. South across S. Massachusetts St. and west toward Rainier Ave. S. there is a mix of more dense multifamily zones ranging from Lowrise 1 (L-1) to Lowrise 3 (L-3). Commercial zoning is predominant along Rainier Ave. S. A mix of single family homes, apartment buildings and various commercial businesses are found in the vicinity. Coleman school is located across 23rd Ave. S. to the east.

Proposal Description

The applicant proposes to subdivide one development site consisting of three tax parcels into nine unit lots. Proposed unit lots sizes range from 1,633 sq. ft. to 2,131 sq. ft. Project #2304127 to construct five single family residences and two, 2-unit townhouses with parking within the individual structures has been reviewed for consistency with the applicable provisions of the Seattle Municipal Code. Vehicular access to the nine unit lots is provided via the 20' alley along the west to a driveway mid-lot which transitions into a common auto courtyard between the structures. Pedestrian access will be via two, 4'0" pedestrian easements running along the north and south sides of unit lot C. Access easements will be provided across WSDOT property to connect the development to 23rd Ave S.

This analysis and decision is only for the proposed division of land and not for the construction of the townhouses.

Public Comments

The public comment period for the proposed project ended on December 29, 2004. There were no public comments.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short subdivision shall be approved unless all of the following facts and conditions are found to exist. The findings which follow are based upon information provided by the applicant; review of access, drainage and zoning within the Department of Planning and Development (DPD), review from Seattle Public Utilities, Seattle Fire Department and Seattle City Light, and review by the Land Use Planner.

1. *Conformance to the applicable Land Use Code provisions;*

The existing parent lot conforms to all development standards of the LDT (Lowrise Duplex Triplex zone). The parent lot configuration provides adequate buildable area to meet the applicable density, lot coverage, and setback requirements and other development standards of the Land Use Code. The individual unit lots in this proposal conform to the standards for unit lot subdivisions (SMC 23.24.045). Any new development must conform to the code requirements applicable at the time of application.

2. *Adequacy of access for vehicles, utilities, and fire protection as provided in Section 23.53.005;*

Vehicular access to each of the unit lots will be provided via a proposed ingress, egress and utility easement from the alley to a 10'0" driveway which transitions into an auto court between the structures. Pedestrian access will be via two, 4'0" pedestrian easements running along the north and south sides of unit lot C, connecting to 23rd Ave S. via an additional pedestrian easement across WSDOT property. The unit subdivision will be conditioned to show and legally describe on the final plat documents the easements established across the WSDOT property between the subject site and 23rd Ave. S. or an alternative method of gaining access to the site shall be submitted and approved by the Land Use Planner. An agreement will be provided on the face of the plat in order to ensure the areas of joint use (common walls, roof, easements) are adequately maintained by all property owners.

The Seattle Fire Department has reviewed and approved this proposal for adequacy of access for emergency vehicles. Conditions regarding approved fire apparatus access roads or sprinkler alternative were reviewed under the building permit 2304127.

Seattle City Light has reviewed the proposal and is requiring an overhead/underground easement P.M. #240409-3-012 to provide electrical service to the proposed lots. The easement will be included as a condition on the face of the plat.

3. *Adequacy of water supply, sanitary sewage disposal, and drainage;*

The area is served by domestic water, sanitary sewer, and storm drain facilities by the City of Seattle, and availability of service is assured subject to standard conditions of utility extension.

Water: The short plat application was reviewed and approved by Seattle Public Utilities on December 22, 2004 subject to conditions listed on the Water Availability Certificate #2004-1919.

Sanitary Sewer and Drainage: A single side sewer connects the subject property to an 8-inch public sanitary sewer (PSS) located in 23rd Ave S. There is a separated public storm drain (PSD) in the downslope intersection between 23rd Ave. S. & S. Massachusetts St. This PSD

discharges to a Designated Receiving Water. Plan review requirements for stormwater and drainage were made met under the building permit 2304127.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed unit lot subdivision is consistent with all relevant Low-rise Duplex Triplex (LDT) zoning requirements and meets the minimum provisions of the Seattle Land Use Code. Address signage shall be posted such that addresses for all units are visible from 23rd Ave. S. in accordance with the *2003 Seattle Building Code Section 2003 501.2*. An easement or covenant shall be recorded with the final plat to ensure the address signage is maintained. The proposed development has adequate access for vehicles, utilities and fire protection and has adequate drainage, water supply and sanitary sewage disposal. The proposal meets all applicable criteria for approval as discussed in this analysis and decision. Therefore, the public use and interests are served by permitting the proposed subdivision of land while also maintaining the character of the neighborhood.

5. *Conformance to the applicable provisions of Seattle Municipal Code Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*

The subject property is not located in an environmentally critical area.

6. *Is designed to maximize the retention of existing trees;*

Development of the subject site was reviewed and approved under Project #2304127. None of the existing trees are proposed to be retained. 17 Flowering Plum trees will be planted along with assorted shrubbery and ground cover on the parent lot. 3 Shatung Maples will be planted as street trees along 23rd Ave. S.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Section 23.24.054 of the Seattle Municipal Code provides that in order to unit subdivide, a development as a whole shall meet all the development standards of the zone that are applicable at the time the permit application vested. Through the unit subdivision, nonconformities may be created to development standards except that private, usable open space for each dwelling unit shall be provided on the individual unit lot. Parking for each dwelling unit is required; however it may be provided within the boundaries of the larger parent lot, rather than on the individual unit lot. The following statement will be required on the final short subdivision to place future property owners on notice that future development may be limited due to the nonconformities: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED.**

CONDITIONS – SHORT SUBDIVISION

Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Provide final recording forms and fees. Have the final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel or tract created by the short subdivision shall be surveyed in the field and all property corners set in conformance with appropriate state statute. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown, as well as all structures and distances from them to the proposed property lines. All existing structures, principal and accessory, shall be shown on the face of the plat and their distances to the proposed property lines dimensioned. A licensed surveyor shall stamp the short plat drawings.
2. The Seattle City Light easement P.M.240409-3-012 described in the Seattle City Light memorandum dated February 10, 2005 and “Exhibit A to City of Seattle Short Subdivision 2408900 shall be included on the final plat prior to recording.
3. Insert the following on the face of the plat: “The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.”
4. Provide an easement, covenant, or other agreement with the final plat to ensure that address signage for each unit lot is provided and maintained in a location visible from the street from which each unit is addressed.
5. Provide a joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and all ingress, egress and utility easements.
6. Show and legally describe on the final plat documents the easements established across the WSDOT property between the subject site and 23rd Ave. S. or an alternative method of gaining access to the site shall be submitted and approved by the Land Use Planner.

Signature: _____ (signature on file) Date: March 17, 2005
Cheryl Mosteller, Senior Land Use Planner

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